

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JULIUS BRADFORD,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 2:13-cv-01784-RFB-EJY

PREHEARING SCHEDULING ORDER

In this habeas corpus action, the Court has granted the petitioner, Julius Bradford, an evidentiary hearing (ECF No. 124). The evidentiary hearing is set for February 8, 2021 (ECF No. 144). The Court will set the following schedule for proceedings in advance of the evidentiary hearing scheduled for February 8, 2021.

1. Prehearing motions. No later than January 18, 2021, the parties shall file any prehearing motions. The parties will have 7 days to file responses to prehearing motions; the parties will then have 5 days to file replies in support of prehearing motions.

2. Exchange of preliminary witness and exhibit lists and evidentiary stipulations. No later than December 21, 2020, counsel shall meet and confer and shall exchange preliminary exhibit and witness lists. The preliminary witness lists shall include disclosures of anticipated expert witnesses, if any, along with written reports containing the information described in Federal Rule of Civil Procedure 26(a)(2)(B). By December 21, 2020, counsel shall also exchange any exhibits not already possessed by opposing counsel. Counsel shall also discuss possible stipulations as to the admissibility of proposed exhibits and any anticipated evidentiary objections.

1 3. Meet-and-confer regarding final witness and exhibit lists and evidentiary
2 objections. No later than December 29, 2020, counsel shall again meet and confer to
3 discuss their anticipated final witness and exhibit lists and evidentiary objections.

4 4. Final witness and exhibit lists, and evidentiary objections. No later than
5 January 6, 2021, counsel shall jointly file a consolidated final list of the witnesses and
6 exhibits to be offered jointly and/or by each party. The list shall identify any evidentiary
7 objections that may be anticipated. No party will be allowed to introduce over objection
8 any witness or exhibit not listed in the final witness and exhibit list, except that a party
9 may file a supplement no later than January 13, 2021, listing evidence and objections in
10 response to any witness or exhibit identified for the first time in the final list. No objection
11 that could have been anticipated in advance of the hearing will be preserved unless
12 included in the final list.

13 5. Prisoner transport order and subpoenas of non-prisoner witnesses. The
14 hearing is set to be conducted by videoconference. No later than January 18, 2021,
15 Petitioner's counsel shall submit an order directing the Nevada Department of Corrections
16 to secure Petitioner's attendance at the videoconference hearing. Counsel for any party
17 wishing to call any other prisoner to testify shall submit a similar order by the same date.
18 No continuance will be granted for failure to secure the video attendance of Petitioner or
19 any other prisoner unless an order to compel attendance was timely sought. Similarly, no
20 continuance will be granted for failure to secure the video attendance of a non-prisoner
21 witness who was not seasonably subpoenaed.

22 6. Prehearing briefs. No later than January 25, 2021, counsel shall each file a
23 prehearing brief, describing the evidence they expect to present, and setting forth their
24 legal arguments relative to issues to be addressed at the evidentiary hearing.

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4 8. Logistics for videoconference Hearing. The hearing is set to be conducted
5 by videoconference. Counsel shall jointly contact the Courtroom Administrator no later
6 than January 25, 2021, to discuss the logistics of the videoconference hearing.

8 IT IS SO ORDERED.

10 DATED THIS 19th day of November, 2020.

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